



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH
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**Testimony before the House Commerce Committee
By Curtis Hertel and Dr. Greg Holzman, Chief Medical Executive
June 12, 2007**

Thank you Chairman Meisner and members of the committee for this opportunity to speak to you today. My name is Curtis Hertel, Jr., and I am the legislative liaison for the Department of Community Health. I would like to say a few words in strong support of House Bill 4163 and then I will give the microphone to Michigan's Chief Medical Executive Dr. Greg Holzman.

As mentioned in previous testimony today there is growing evidence that smoke-free laws can save money. A study released in 2005 by the Society of Actuaries found that just secondhand smoke costs our country \$10 billion a year in healthcare costs, lost wages and other costs. Savings from smoke-free laws can provide savings to businesses and the state's Medicaid program. This is particularly important here in Michigan as \$1.1 billion of total annual Medicaid expenditures are for tobacco-related health care. This amounts to over 12 percent of the Medicaid budget.

Currently eighteen counties in Michigan have adopted smoke-free worksites public health regulations, with about 43% of the state's population covered so far. However, these local regulations cannot cover bars and restaurants even if the local community reviewing the scientific facts wants to do so. Therefore, bar and restaurant employees are not afforded the same protection as other workers. Michigan needs a comprehensive state law to ensure that all workers are protected from the dangers of secondhand smoke in all workplaces and that is why we strongly support HB 4163.

I would like to now give Dr. Holzman the chance to address the committee.

Mr. Chairman, Members of the Committee thank you for giving me this opportunity to speak in strong support of HB 4163.

I recently returned to Michigan from Maine, a state which has a smoke-free law covering worksites, including restaurants and bars. Previously I have worked extensively in Montana, another smoke-free state. Montana is particularly interesting because of the Helena Heart study. Prior to the whole state going smoke-free, the city of Helena passed a Clean Indoor Air Ordinance which resulted in a 60% decrease in heart attacks compared to the same time period in the previous four years in the same area. At the same time data for areas outside of Helena which were not smoke-free did not show a decline in heart attacks.

Experiences in other states also show the impact of smoke-free laws, for example, in the health of workers. Before California bars went smoke-free, 74% of San Francisco bartenders reported experiencing respiratory difficulties. Within two months of going smoke-free, complaints of these symptoms dropped by almost 60%. This is not too surprising when you consider that a study done in 2004 revealed that the air in smoky bars is two and a half times more polluted than highways.

As well presented in Drs. Ken Warner's and Ron Davis's testimony, the data regarding environmental smoke is conclusive and the scientific effects are no longer a question. This issue is no longer a scientific issue; it is only a political issue. Twenty nine states currently have moved forward with smoke-free laws protecting their citizens. These laws have proven health benefits and have been well received in those states. It is time now for Michigan to join this growing trend.

Many others today have spoken about the health effects and economic cost of secondhand smoke so I would like to focus on two specific concerns which are usually addressed when the issue of smoke-free legislation is being discussed – loss of business and governmental interference in individual lives.

First, will businesses close? There are dozens of studies and hard economic data that have shown that smoke-free laws do not harm sales or employment in restaurants and bars and in some cases have led to increased sales and employment, as stated by Dr. Warner. We would be happy to get you those references if you are interested. It is interesting that a 2004 report found that a year after New York City's law took effect, business receipts for restaurants and bars increased and over 10,000 new jobs were created.

I believe we need to be blunt...How much is a life worth! In Michigan alone, each year, somewhere between 1,340 and 2,390 lives are lost due to secondhand smoke. We could debate the specific number but that would be getting off point since we know the number is large, and the deaths preventable. It is important to realize we are not only talking about 60 or 70 years olds dying from lung cancer. You have heard from some of the individuals who have spoken today the effect secondhand smoke has had on their lives. These are the people that have lived. There are some who cannot come here to testify today...like a 19 year old waitress who died due to a severe asthma attack while working in a smoky establishment.

For the same reasons that we have state and local laws protecting our citizens against asbestos, unsafe work environments, air pollution and improperly prepared food, we need to have protections against the dangers of secondhand smoke. Our citizens should not have to risk their health in order to get a paycheck. The science is too strong to ignore the data. Michigan needs to stand up

The second issue is governmental interference. This is an important issue which we do not want to take lightly. However, we must remember that our mission in public health is to foster communities "in which one can be healthy." Should a single mom have to work in a smoke filled establishment just to pay her bills? Should a teenager be forced to serve a customer in a smoking section, or even the still smoky non-smoking section, because he or she wants to take

responsibility and a get a part-time job? Secondhand smoke is not a choice for those who choose NOT to smoke. It is not like the individual who takes in more calories than he spends, or drinks too much alcohol...but it is like the drunk driver who gets in a car. Now the individual is not only putting himself at risk but those in the community and that is when public entities get involved.

There is no doubt that there are positive secondary effects of these smoke-free laws. We know that these laws help smokers to quit - it is very hard to quit smoking when others around you smoke. One study, in the American Journal of Public Health, found that smokers employed in locations with strong smoke-free workplace laws were 38% more likely to quit over a six month period.

Smoke-free laws also help prevent children and adolescents from ever beginning to smoke. A 2000 study in the Journal of the American Medical Association found that national surveys on youth smoking strongly suggest that smoke-free workplaces are associated with significantly lower rates of adolescent smoking. A recent study by the World Health Organization showed that students aged 13 to 15 are more likely to become smokers when they are exposed to secondhand smoke. This is not only exposure in their own home but even if the exposure to secondhand smoke is only in the place they work.

While the passage of a smoke-free law is considered to be one of the most efficient and effective ways to reduce smoking, exposure to secondhand smoke and related healthcare costs, it does require that adequate infrastructure be in place at the state and local level to implement and enforce the law. Experience in other states has shown that trained staff is needed at the state and local level to ensure a smooth implementation and proper enforcement.

This brings me to my last point. I want to be clear that we do not want to forget the current smokers. Smoking is not a bad habit; it is an addiction. This is very clear when 70 % of the current smokers want to quit, and each year about 40 to 50 % try, but most are unsuccessful. It is necessary to provide evidence-based cessation assistance, such as an adequately funded quit line and nicotine replacement therapy, for those wanting to quit.

Once again we strongly support HB 4163 and would be happy to get you any further information that would help you in your decision.